

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

\*

Petitioner,

\*

v.

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Civil Action No. RDB-19-2900

TITO LIVIO ARGUETA-FOLGAR

\*

Respondent.

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\* \* \* \* \*

**ORDER**

As a result of an investigation into importing kilograms of heroin into the United States from Guatemala, Petitioner Tito Livio Argueta-Folgar was arrested and indicted for conspiracy to possess with the intent to distribute 1 kilogram or more of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 846. At the time of his arrest, various personal effects were seized from Petitioner. Now pending is the Petitioner's Motion seeking the return of property following his arrest. (ECF No. 1.) Specifically, Petitioner seeks the return of the items listed in his Motion as follows:

- 1 Phone WAHUEI
- DPI-DOC (Guatemala) DPI
- RURAL PANAMERICAN UNIVERSITY CERTIFICATE
- \$ 850.00 (cash)
- FOTOS
- 2 BAGAGE'S Tickets of Flight Co. (Value \$1,000.00)

- 1 GRADUATE RING (Seal = INVO)
- 2 passport

Special Agent Evan McKinney of Homeland Securities Investigations (“HSI”), an arm of the Department of Homeland Security, has informed the government that HSI is in possession of the following items:


- Wallet (containing miscellaneous documents, including photographs);
- Belt
- Airline Tickets
- 2 passports
- 1 ring
- 1 watch

Special Agent McKinney has advised the Government that the cash was subject to administrative forfeiture and that Petitioner’s phone was destroyed. He was unfamiliar with the “DPI DOC” or “RURAL PANAMERICAN UNIVERSITY CERTIFICATE” referenced by Petitioner. Special Agent McKinney also indicated that he was previously in contact with Edwin Roque, the individual authorized by Petitioner to receive his personal property, but Roque has never appeared to retrieve the property.

The Government makes no objection to the return of the items referenced by Special Agent McKinney above. It requests only that Petitioner’s authorized agent personally appear

and accept possession of the property. Accordingly, it is HEREBY ORDERED this 1st day of November 2019 that:

1. Petitioner's Motion for return of property (ECF No. 1) is GRANTED;
2. Petitioner's authorized agent must personally appear and accept the property in the possession of HIS;
3. The Clerk of Court shall transmit a copy of this Order to counsel of record;
4. The Clerk of Court shall CLOSE THIS CASE.

  
Richard D. Bennett  
United States District Judge